

Message Text

LIMITED OFFICIAL USE

PAGE 01 DUBLIN 00944 141255Z

15

ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 SCCT-01 CIAE-00 DODE-00 PM-04

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 DHA-02 /075 W
----- 002878

R 141040Z MAY 76

FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC 7919

INFO AMEMBASSY LONDON

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

USMISSION USEC BRUSSELS

USMISSION GENEVA

USMISSION OECD PARIS

USMISSION NATO BRUSSELS

LIMITED OFFICIAL USE DUBLIN 0944

E.O. 11652: N/A

TAGS: PINT, EI

SUBJECT: IRISH GOVERNMENT TO IMPLEMENT NEW ANTI-TERRORIST ACT

1. THE IRISH PRESIDENT SIGNED THE CONTROVERSIAL CRIMINAL LAW (JURISDICTION) BILL ON MAY 7 AFTER IT HAD BEEN FOUND CONSTITUTIONAL BY THE IRISH SUPREME COURT. THE LAW WILL GO INTO EFFECT IN ABOUT TWO WEEKS AFTER BOTH DUBLIN AND LONDON PROMULGATE DETAILED REGULATIONS ON ITS IMPLEMENTATION. FOR THOSE ADDRESSEES NOT UP ON THE INTRICACIES OF THE NORTHERN IRELAND SITUATION, THIS LAW (AND THE SIMILAR ONE PASSED BY THE UK PARLIAMENT) WILL MAKE IT POSSIBLE FOR THE IRISH GOVERNMENT TO TRY PERSONS IN THE REPUBLIC FOR CERTAIN SPECIFIED OFFENCES COMMITTED IN NORTHERN IRELAND
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 DUBLIN 00944 141255Z

(RELATED TO TERRORISM), AND VICE-VERSA. IT IS, IN EFFECT, A

SUBSTITUTION FOR EXTRADITION, WHICH HAS BEEN VIRTUALLY IMPOSSIBLE UNDER IRISH LAW FOR TERRORIST OFFENSES BECAUSE ANY "POLITICAL" CRIME IS UNEXTRADITABLE.

2. THE SIGNIFICANCE OF THIS NEWEST ANTI-TERRORIST MOVE BY THE GOI REMAINS TO BE SEEN. IT WAS PASSED OVER STRONG OPPOSITION BY THE OPPOSITION FIANNA FAIL PARTY, AND THE GOVERNING COALITION HAD TO LEAN HARD ON SOME OF ITS OWN DEPUTIES TO GET A BARE MAJORITY. SUSPICION OF THE EFFICACY OF DUE PROCESS IN NORTHERN IRELAND REMAINS STRONG IN THE REPUBLIC. A CURRENT EXAMPLE OF THE TYPE OF CASE THE LAW SHOULD DEAL WITH WAS THE ARREST ON MAY 8 IN THE REPUBLIC OF TWO PERSONS WHO ESCAPED FROM A NORTHERN IRELAND PRISON MAY 5. ON MAY 11 A DISTRICT COURT JUDGE ORDERED EXTRADITION OF THE TWO, BUT THIS ORDER WILL ALMOST CERTAINLY BE OVERTURNED ON APPEAL TO THE HIGH COURT AND THE TWO WILL EVENTUALLY GO FREE. WITH SIMILAR CASES IN THE FUTURE THE GOI CAN TRY SUCH PERSONS IN THE REPUBLIC IF REQUESTED BY HMG, AND ALTHOUGH THE CHARGE WOULD BE RELATED MAINLY TO THE ESCAPE THEY COULD GET A HEALTHY SENTENCE HERE. THERE IS MUCH SKEPTICISM, HOWEVER, ON BOTH SIDES OF THE BORDER ABOUT ACTUAL UTILIZATION OF THE LAW. ITS MAIN SIGNIFICANCE IS SEEN FROM HERE TO BE SYMBOLIC, I.E. THE GOI CONTINUES ITS TOUGH, NO-NONSENSE APPROACH TO TERRORISM. THE GOVERNMENT HOPES THAT OVER TIME THIS WILL BE ONE LINK IN A CHAIN TO CONVINCE THE NORTHERN IRELAND PROTESTANTS THAT THE DUBLIN GOVERNMENT CAN BE TRUSTED.
CURLEY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PENAL SYSTEM, LAW, TERRORISTS, POLITICAL SITUATION
Control Number: n/a
Copy: SINGLE
Draft Date: 14 MAY 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976DUBLIN00944
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760188-0219
From: DUBLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760555/aaaabuof.tel
Line Count: 86
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 01 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 APR 2004 by CollinP0>; APPROVED <02 APR 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IRISH GOVERNMENT TO IMPLEMENT NEW ANTI-TERRORIST ACT
TAGS: PINT, EI
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006